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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kevin Retlich et al.	§		
	§	Group Art Unit:	2676
Serial No.: 09/675,451	§		
	§	Examiner:	Tran, Tam D.
Filed: September 29, 2000	§		
	§		
For: REAL TIME NETWORK SYSTEM VIEW METHOD AND APPARATUS	§	Atty. Docket:	00AB187/YOD ALBR:0084

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November 21, 2005 — Kerri Hland
Date — Kerri Hyland

APPEAL BRIEF PURSUANT TO 37 C.F.R. §§ 41.31 AND 41.37

This Appeal Brief is being filed in furtherance to the Notice of Appeal mailed on September 9, 2005, and received by the Patent Office on September 19, 2005.

The Commissioner is authorized to charge the requisite fee of $500.00, and any additional fees which may be necessary to advance prosecution of the present application, to Account No. 01-0857, Order No. 00AB187/YOD (ALBR:0084).

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1. **REAL PARTY IN INTEREST**

The real party in interest is Rockwell Automation Technologies, Inc., the Assignee of the above-referenced application by virtue of the Assignment to Rockwell Technologies, LLC, a previous name of Rockwell Automation Technologies, Inc. Accordingly, Rockwell Automation Technologies, Inc will be directly affected by the Board's decision in the pending appeal.

2. **RELATED APPEALS AND INTERFERENCES**

Appellants are unaware of any other appeals or interferences related to this Appeal. The undersigned is Appellants' legal representative in this Appeal.

3. **STATUS OF CLAIMS**

Claims 1-46 are currently pending, are currently under final rejection, and are the subject of this appeal.

4. **STATUS OF AMENDMENTS**

As the instant claims have not been amended subsequent to the Final Office Action, there are no outstanding amendments to be considered by the Board.

5. **SUMMARY OF CLAIMED SUBJECT MATTER**

The present application relates generally to the field of networked control and monitoring systems such as those used in industrial automation. *See, e.g.,* Application, page 2, lines 12-30. More particularly, the application relates to a technique for accessing data from networked components and building a physical view of a system based upon the accessed data. *See, e.g., id.,* page 2, lines 12-30; page 7, line 18 – page 8, line 20. Embodiments of the present technique make use of data stored within individual components. *See, e.g., id.,* page 2, lines 12-30; page 9, line 15 – page 10, line 10; page 11, line 26 – page 12, line 21; page 19, lines 28-30; page 21, lines 10-12. This data can identify the component within which it is stored and provide an indication of the location of the component within a system. *Id.* The data may be conveniently stored in dedicated

memory objects which are programmed at the time the components are installed in the system. *See, e.g., id.*, page 2, lines 12-30; page 13, line 1 – page 14, line 2; page 15, lines 18-30. Subsequent changes in the system, including component configuration, settings, and locations, may be represented by changes in the data stored within the components. *Id.*

The data stored within the components may be conveniently accessed from a system database that includes portions of the downloaded data, thereby facilitating programming and coordination of the data distributed in the individual components. *See, e.g., id.*, page 2, lines 12-30; page 11, lines 4-11; page 15, line 18 – page 16, line 18. Such access also facilitates compilation and display of a physical representation of the system to operators using a control or monitoring system. *See, e.g., id.*, page 2, lines 12-30; page 15, line 18 – page 16, line 18; page 20, lines 27-29. The physical representation may include relative dispositions of the components in the system. *See, e.g., id.*, page 2, lines 12-30; page 9, line 15 – page 10, line 10; page 11, line 26 – page 12, line 21; page 19, lines 28-30; page 21, lines 10-12. For example, the physical representation can include approximately accurate dimensional representations of individual components, subassemblies, subunits, or enclosures. *See, e.g., id.*, page 2, lines 12-30; page 8, lines 7-20. The physical representation may facilitate monitoring functions and recognition of specific components in the actual physical layout of the system for servicing and maintenance operations. *Id.*

With regard to aspects of the present invention set forth in independent claim 1, discussions of the recited features of claim 1 can be found at least in the locations in the specification and drawings set forth below. By way of example, an embodiment in accordance with claim 1 provides a method for creating a view of a system of networked components. *See, e.g., id.*, page 2, lines 12-30. The method comprises storing in a memory object of each component, data representative of the respective component and of a

physical configuration of the component. *See, e.g., id.,* page 6, lines 20-23; page 7, lines 21-29; page 8, lines 7-20; page 11, lines 18-21; page 11, line 26 – page 12, line 25; page 13, lines 20-30; page 22, lines 13-15; FIGS. 1-3. The method also comprises accessing the data from the memory objects via a data network. *See, e.g., id.,* page 2, lines 12-30; page 5, line 3 – page 6, line 18; page 7, lines 17-20; page 9, lines 4-14; page 11, lines 4-25; page 12, lines 10-21; page 13, lines 12-30; page 14, lines 4-5; page 23, lines 10-12. Further, the method comprises generating a user viewable representation of the system based upon the data, the representation including physical representations of each component positioned with respect to one another and a physical representation of the system. *See, e.g., id.,* page 12, lines 10-21; page 14, lines 13-23; page 15, line 18 – page 16, line 19; FIG. 8.

With regard to aspects of the present invention set forth in independent claim 14, discussions of the recited features of claim 14 can be found at least in the locations in the specification and drawings set forth below. By way of example, an embodiment in accordance with claim 14 provides a method for generating a physical layout representation of a system of networked electrical components. *See, e.g., id.,* page 2, lines 12-30; FIGS. 8 and 14. The method comprises generating a database for the system including component designation data representative of programmable components of the system, and physical location data representative of a physical location of the programmable components in the system. *See, e.g., id.,* page 2, lines 12-30; page 11, lines 4-24; page 13, lines 1-30; page 21, line 28 – page 22, line 15. The method also comprises storing the component designation data and the physical location data for each component in a dedicated memory of the respective component. *See, e.g., id.,* page 11, line 26 – page 12, line 9; page 13, lines 20-30; page 22, lines 13-15. Additionally, the method comprises accessing the component designation data and the physical location data via a data network. *See, Id.,* page 2, lines 12-30; page 5, line 3 – page 6, line 18; page 7, lines 17-20; page 9, lines 4-14; page 11, lines 4-25; page 12, lines 10-21; page 13, lines 12-30; page 14, lines 4-5; page 23, lines 10-12. Further, the method comprises generating a representation of the system in a user viewable format, the representation including a physical representation of the components positioned in a relative physical position with respect to other components

of the system. *See, e.g., id.*, page 2, lines 12-30; page 12, lines 10-21; page 14, lines 13-23; page 15, line 18 – page 16, line 19; FIG. 8.

With regard to aspects of the present invention set forth in independent claim 24, discussions of the recited features of claim 24 can be found at least in the locations in the specification and drawings set forth below. By way of example, an embodiment in accordance with claim 24 provides a method for generating and displaying a real time elevational view of an electrical system including a plurality of programmable components disposed in an enclosure set, each component including a resident read/write memory object. *See, e.g., id.*, FIGS. 8 and 14. The method comprises storing component designation data and physical configuration data in the memory object of each programmable component, the component designation data including data identifying the respective component, and the physical configuration data including data identifying a physical disposition of the respective component in the enclosure set. *See, e.g., id.*, page 6, lines 20-23; page 7, lines 21-29; page 8, lines 7-20; page 11, line 18 – page 12, line 25; page 13, lines 20-30; page 22, lines 13-15; FIGS. 1-3. The method also comprises polling the components for the component designation data and the physical disposition data. *See, e.g., id.*, page 2, lines 12-30; page 14, lines 4-5; page 20, lines 7-20; page 23, lines 9-12. Further, the method comprises generating a real time elevational view of the system based upon the component designation data and the physical disposition data, the view including representations of each component positioned with respect to one another in the system. *See, e.g., id.*, page 2, lines 12-30; page 12, lines 10-21; page 14, lines 13-23; page 15, line 18 – page 16, line 19.

With regard to aspects of the present invention set forth in independent claim 32, discussions of the recited features of claim 32 can be found at least in the locations in the specification and drawings set forth below. By way of example, an embodiment in accordance with claim 32 provides a networked electrical system. The networked electrical system comprises a plurality of electrical components, each component including a memory object allocated for component designation data and physical location data, the component designation data including data identifying the respective component, and the

physical configuration data including data identifying a physical disposition of the respective component in the system. *See, e.g., id.,* page 6, lines 20-23; page 7, lines 21-29; page 8, lines 7-20; page 11, line 18 – page 12, line 25; page 13, lines 20-30; page 22, lines 13-15; FIGS. 1-3. The networked electrical system also comprises a data network linking the electrical components. *See, e.g., id.,* page 2, lines 12-30; page 5, line 3 – page 6, line 18; page 7, lines 17-20; page 9, lines 4-14; page 11, lines 4-25; page 12, lines 10-21; page 13, lines 12-30; page 14, lines 4-5; page 23, lines 10-12. Additionally, the networked electrical system comprises a monitoring station linked to the electrical components via the network, the monitoring station including a user viewable display and a processor configured to access the component designation data and the physical location data from the components via the network and to generate and display a representation of the system on the display based upon the component designation data and the physical location data, the representation including representations of each component positioned with respect to one another in the system. *See, e.g., id.,* page 2, lines 12-30; page 12, lines 10-21; page 14, lines 4-23; page 15, line 18 – page 16, line 19.

With regard to aspects of the present invention set forth in independent claim 39, discussions of the recited features of claim 39 can be found at least in the locations in the specification and drawings set forth below. By way of example, an embodiment in accordance with claim 39 provides a networked motor control center. The networked motor control center comprises a plurality of electrical power control components disposed in an enclosure, each component including a memory object for storing component designation data and physical configuration data, the component designation data including data identifying the respective component, and the physical configuration data including data identifying a physical disposition of the respective component in the enclosure. *See, e.g., id.,* page 6, lines 20-23; page 7, lines 21-29; page 8, lines 7-20; page 11, line 18 – page 12, line 25; page 13, lines 20-30; page 22, lines 13-15; FIGS. 1-3. The networked motor control center also comprises a data network linking the electrical components. *See, e.g., id.,* page 2, lines 12-30; page 5, line 3 – page 6, line 18; page 7, lines 17-20; page 9, lines 4-14; page 11, lines 4-25; page 12, lines 10-21; page 13, lines 12-30; page 14, lines 4-5; page

23, lines 10-12. Further, the networked motor control center comprises a monitoring station linked to the electrical components via the network, the monitoring station including a user viewable display and a processor configured to access the component designation data and the physical location data from the components via the network and to generate and display a representation of the system on the display based upon the component designation data and the physical location data, the representation including position of the components in the enclosure. *See, e.g., id.,* page 2, lines 12-30; page 12, lines 10-21; page 14, lines 4-23; page 15, line 18 – page 16, line 19.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Ground of Rejection for Review on Appeal:

Appellants respectfully urge the Board to review and reverse the Examiner's only ground of rejection in which the Examiner rejected claims 1-46 under 35 U.S.C. § 102(e) as being anticipated by Kuribayashi et al. (U.S. Patent No. 6,480,846), hereinafter, "Kuribayashi".

7. ARGUMENT

As discussed in detail below, the Examiner has improperly rejected the pending claims. Further, the Examiner has misapplied long-standing and binding legal precedents and principles in rejecting the claims under 35 U.S.C. § 102. Accordingly, Appellants respectfully request full and favorable consideration by the Board, as Appellants strongly believe that claims 1-46 are currently in condition for allowance.

The Examiner rejected claims 1-46 under 35 U.S.C. § 102(e) as being anticipated by Kuribayashi. Each of these independent claims will be discussed separately below. Appellants respectfully traverse this rejection.

A. Judicial precedent has clearly established a legal standard for a prima facie anticipation rejection.

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). Thus, for a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the *identical* invention "*in as complete detail as contained in the ... claim*" to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Appellants need only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

B. **Kuribayashi fails to anticipate independent claim 1.**

Independent claim 1 recites:

> A method for creating a view of a system of networked components, the method comprising the steps of:
>
> storing in a memory object of each component, data representative of the respective component and of a physical configuration of the component;
>
> accessing the data from the memory objects via a data network;
>
> generating a user viewable representation of the system based upon the data, the representation including physical representations of each component positioned with respect to one another and a physical representation of the system.

In the Final Office Action, the Examiner analyzed Kuribayashi to include all of the elements of claim 1, as set forth above, and the claims depending therefrom. However, Appellants respectfully assert that Kuribayashi fails to disclose at least three features of independent claim 1. Accordingly, Appellants assert that Kuribayashi is deficient for at least three reasons and that the Examiner's rejection under 35 U.S.C. § 102 is inappropriate. Each of these deficiencies in the Kuribayashi et al. reference is discussed in detail below.

1. The Kuribayashi et al. reference fails to teach "storing in a memory object of each component, data representative of the respective component and of a physical configuration of the component."

In the Office Action, the Examiner asserted that Kuribayashi teaches "storing in a memory object of each component data representative of the respective component and of a configuration of the component (information for dimensions and shapes which read on data representative of the respective component and of a configuration of the component)." Final Office Action, page 2. Specifically, the Examiner cited a passage of Kuribayashi at col. 8, lines 40-64 along with Fig. 8 of the reference as teaching this feature of the present claim 1. Relevant portions of the passage cited by the Examiner are set forth below:

> The mounting position data A can be formed, e.g., by a device for CAD 11 and input to the data processor 3 every time each piece of mounting position data is formed, or total pieces of mounting position data may be stored once and transferred to the data processor 3. Alternatively, a storage medium storing the mounting position data A may be loaded to the data processor 3 for its utilization. The storage medium 12 providing the component text data B stores therein, as shown in FIG. 8, the image data IM of various kinds of components including components to be mounted and the component text data B of necessary information for mounting of components, e.g., shapes, dimensions, packing forms, colors and the like of components. Both data are stored in the storage medium 12 after being edited in accordance with a predetermined classification method.
>
> Kuribayashi et al., col. 8, lines 40-55.

In fact, neither this passage nor the remainder of Kuribayashi teaches the above-recited feature of claim 1. Kuribayashi is directed to a "storage medium (computer readable medium) 12, which is a CD-ROM." *Id*, col. 7, lines 43-44. As is clearly illustrated by Fig. 1A of Kuribayashi, the storage medium 12 is separate and distinct from

any of the various components for which it stores image data. *See, Id*, col. 4, lines 50-54. In contrast, claim 1 recites that data is stored in *a memory object of each component* of the recited system. The storage medium 12 of Kuribayashi is certainly not a memory object *of* a component. In other words, the storage of information *on a CD-ROM*, as disclosed by Kuribayashi, is in no way equivalent to the storing data representative of a respective component and of a physical configuration of the component in a memory object *of the component* itself. Accordingly, the cited reference fails to teach this feature of claim 1.

2. The Kuribayashi et al. reference fails to teach "accessing the data from the memory objects via a data network."

The Examiner asserted that Kuribayashi also teaches "accessing the data from the memory objects via a data network." Final Office Action, page 2. Specifically, the Examiner cited a passage of Kuribayashi at col. 4, lines 49-53 as teaching this feature of the present claim 1. The relevant part of the passage cited by the Examiner, in context, is set forth below:

> According to a fifth aspect of the present invention, there is provided a component electronic catalog according to the first aspect, wherein the storage medium is detachable from a reading device for reading out stored contents of the medium from the medium.
>
> Kuribayashi et al., col. 4, lines 50-54.

Further, regarding the above-referenced claim feature, the Examiner alleged that Kuribayashi teaches "data stored in the storage medium are transmitted to an other device or vice versa by communication corresponding to accessing the data from memory objects via a data network." Final Office Action, page 5. Specifically, in the Response to Arguments section of the Final Office Action, the Examiner cited col. 4, lines 55-60 of Kuribayashi to support this assertion. Relevant portions of this passage are reproduced below:

> According to a sixth aspect of the present invention, there is provided a component electronic catalog according to the fifth aspect, wherein the data stored in the storage medium is transmitted to an other device or vice versa by communication.
>
> Kuribayashi et al., col. 4, lines 55-60.

Appellants assert that the cited portion of Kuribayashi has no apparent relevance to the above-recited feature of claim 1. Indeed, the entire Kuribayashi reference, and particularly the passages relied upon by the Examiner, in no way teach the presently recited procedure. Rather, the reference simply teaches that catalog data, stored on a storage medium, are transmitted to another device or vice versa by communication. *See,* e.g., *id.*, col. 4, lines 55-59. The catalog data discussed in Kuribayashi is not accessed from the components *themselves* or memory objects stored in the components. Accordingly, Kuribayashi does not teach accessing data *from the memory objects*, as presently recited in claim 1.

3. The Kuribayashi et al. reference fails to teach "generating a user viewable representation of the system based upon the data, the representation including physical representations of each component positioned with respect to one another."

In the Office Action, the Examiner asserted that Kuribayashi teaches "generating a user viewable representation of the system based upon the data, the representation including physical representations of each component positioned with respect to one another." Final Office Action, page 2. Specifically, the Examiner cited a passage of Kuribayashi at col. 3, lines 22-29 along with Fig. 33 of the reference as teaching this feature of the present claim 1.

Fig. 33 of Kuribayashi actually relates to prior art discussed in the reference. Specifically, Fig. 33 is an example of a window display screen relating to an applied circuit, and a window display screen of a selected block diagram. *See, Id,* col. 3, lines

32-35. Further, based on the discussion of Fig. 33 and the content of the figure itself, it is clear that Fig. 33 merely teaches displaying a diagrammatical view of selected circuits.

In contrast to Kuribayashi, claim 1 recites a representation including *physical representations of each component positioned with respect to one another*. As noted in the present application, such physical representations can greatly assist in analyzing and servicing systems of components, even without any prior knowledge of the physical location of the individual components.

4. Request for Reconsideration and Allowance

Because Kuribayashi clearly does not teach the features of claim 1 or any equivalent features, it cannot anticipate claim 1. Accordingly, claim 1 and the claims depending therefrom are believed to be clearly patentable over Kuribayashi. Therefore, Appellants respectfully request withdrawal of the rejection of claim 1 and the claims depending therefrom. Further, Appellants respectfully request allowance of claim 1 and the claims depending therefrom.

C. **Kurribayashi similarly fails to anticipate claim 14.**

Independent claim 14 recites:

> A method for generating a physical layout representation of a system of networked electrical components, the method comprising the steps of:
>
> generating a database for the system including component designation data representative of programmable components of the system, and physical location data representative of a physical location of the programmable components in the system;
>
> storing the component designation data and the physical location data for each component in a dedicated memory of the respective component;
>
> accessing the component designation data and the physical location data via a data network; and

> generating a representation of the system in a user viewable format, the representation including a physical representation of the components positioned in a relative physical position with respect to other components of the system.

In the Final Office Action, the Examiner did not address any distinctions between claim 1 and claim 14. While Appellants do not agree with the Examiner addressing these claims together, insomuch as the Examiner's rejection is identical on both of these claims, claim 14 is believed to be equally patentable for the reasons summarized above with respect to claim 1. Furthermore, claim 14 recites additional subject matter not addressed by the Examiner. Notably, claim 14 includes the generation of a database including component designation data and physical location data. The Examiner did not contend that the cited reference discloses or even suggests such database generation. Accordingly, the Examiner has failed to establish anticipation on this point alone.

In view of the remarks set forth above, Appellants assert that independent claim 14 and the claims depending therefrom are clearly patentable over the cited reference. Accordingly, Appellants respectfully request withdrawal of the rejection of claim 14 and the claims depending therefrom. Further, Appellants respectfully request allowance of claim 14 and the claims depending therefrom.

D. **Kuribayashi fails to anticipate claim 24.**

Independent claim 24 recites:

> A method for generating and displaying a real time elevational view of an electrical system including a plurality of programmable components disposed in an enclosure set, each component including a resident read/write memory object, the method comprising the steps of:
>
> storing component designation data and physical configuration data in the memory object of each programmable component, the component designation data including data identifying the respective component, and the physical configuration data including data identifying a

physical disposition of the respective component in the enclosure set;

polling the components for the component designation data and the physical disposition data; and

generating a real time elevational view of the system based upon the component designation data and the physical disposition data, the view including representations of each component positioned with respect to one another in the system.

In the Final Office Action, the Examiner analyzed Kuribayashi to include all of the elements of claim 24, as set forth above, and the claims depending therefrom. However, Appellants respectfully assert that Kuribayashi fails to disclose at least three features of independent claim 24. Accordingly, Appellants assert that Kuribayashi is deficient for at least three reasons and that the rejection under 35 U.S.C. § 102 is inappropriate. Each of these deficiencies in Kuribayashi reference is discussed in detail below.

1. The Kuribayashi et al. reference fails to teach "storing component designation data and physical configuration data in the memory object of each programmable component."

In the Final Office Action, the Examiner asserted that Kuribayashi teaches "[s]toring component designation data and physical configuration data in the memory object of each programmable component." Final Office Action, page 3. Specifically, the Examiner cited a passage of Kuribayashi at col. 8, lines 40-64 along with Fig. 8 of the reference as teaching this feature of the present claim 24. *Id.* This passage is the same passage the Examiner cited regarding claim 1. The cited passage is quoted *supra.*

Kuribayashi does not teach the above-recited feature of claim 24. As discussed above, Kuribayashi is directed to a "storage medium (computer readable medium) 12, which is a CD-ROM." Kuribayashi et al., col. 7, lines 43-44. The storage medium 12 is clearly separate and distinct from any of the various components for which it stores image data. *See, id.*, Fig. 1A and col. 4, lines 50-54. In contrast, claim 24 recites storing

component designation data and physical configuration data *in the memory object of each programmable component*. As noted above, the storage medium 12 of Kuribayashi is certainly not a memory object *of* a programmable component itself. Accordingly, Kuribayashi fails to teach this feature of independent claim 24.

2. The Kuribayashi et al. reference fails to teach "polling the components for the component designation data and the physical disposition data."

Independent claim 24 recites "*polling the components* for the component designation data and the physical disposition data." In the Final Office Action, the Examiner cited col. 3, lines 22-29 and Fig. 33 of Kuribayashi as support for the assertion that the reference anticipates this feature of claim 24. *See,* Final Office Action, page 3.

Appellants assert that the cited portion of Kuribayashi has no apparent relevance to the above-recited feature of claim 24. Indeed, the entire Kuribayashi reference, and particularly the passages relied upon by the Examiner, in no way teach the presently recited procedure. Rather, as noted above, the reference simply teaches that catalog data, stored on a storage medium, are transmitted to another device or vice versa by communication. *See,* Kuribayashi et al., col. 4, lines 55-59. The catalog data discussed in Kuribayashi is not accessed by *polling the components themselves*. It is transmitted from the *storage medium*. Accordingly, Kuribayashi does not teach "*polling the components,*" as presently recited in claim 24.

3. The Kuribayashi et al. reference fails to teach "generating a real time elevation view of the system based on the component designation data and the physical disposition data, the view including representations of each component positioned with respect to one another in the system."

In the Final Office Action, the Examiner asserted that Kuribayashi teaches "generating a real time *elevation view* of the system ... the view including representations of each component *positioned with respect to one another* in the system." Final Office Action, pages 2-3. Specifically, the Examiner cited a passage of Kuribayashi at col. 3,

lines 22-29 along with Fig. 33 of the reference as teaching this feature of the present claim 1. *Id.*

As discussed above, Fig. 33 of Kuribayashi actually relates to prior art discussed in the reference. Specifically, Fig. 33 is an example of a window display screen relating to an applied circuit and a window display screen of a selected block diagram. *See,* Kuribayashi et al., col. 3, lines 32-35. Further, based on the discussion of Fig. 33 and the content of the figure itself, it is clear that Fig. 33 merely teaches displaying a diagrammatical view of selected circuits.

In contrast to Kuribayashi, claim 24 recites generating a real time *elevational view* of the system. Appellants respectfully assert that the diagrammatical views represented in Kuribayashi are not equivalent to an *elevation view* as currently recited. An elevational view refers to a view, such as a physical layout view, that is well known by those of ordinary skill in the art. Indeed, Appellants respectfully assert that one of ordinary skill in the art would recognize that the diagrammatical representations in Fig. 33 are not equivalent to an elevational view. Further, Appellants respectfully assert that Fig. 33 certainly does not teach representations of each component positioned *with respect to one another*, as recited in claim 24. Accordingly, the cited reference does not anticipate these features of claim 24.

4. Request for Reconsideration and Allowance

Because Kuribayashi clearly does not teach the features of claim 24, or any equivalent features, it cannot anticipate claim 24. Accordingly, claim 24 and the claims depending therefrom are believed to be clearly patentable over Kuribayashi. Therefore, Appellants respectfully request withdrawal of the rejection of claim 24 and the claims depending therefrom. Further, Appellants respectfully request allowance of claim 24 and the claims depending therefrom.

E. **Kuribayashi fails to anticipate claim 32.**

Independent claim 32 recites:

> A networked electrical system comprising:
> a plurality of electrical components, each component including a memory object allocated for component designation data and physical location data, the component designation data including data identifying the respective component, and the physical configuration data including data identifying a physical disposition of the respective component in the system;
> a data network linking the electrical components; and
> a monitoring station linked to the electrical components via the network, the monitoring station including a user viewable display and a processor configured to access the component designation data and the physical location data from the components via the network and to generate and display a representation of the system on the display based upon the component designation data and the physical location data, the representation including representations of each component positioned with respect to one another in the system.

The Examiner did not address the subject matter of claim 32, as set forth above, with any specificity. Indeed, in the Final Office Action, the Examiner essentially failed to address any distinctions between claims 24, 32 and 39. While Appellants do not agree with the Examiner addressing these claims together, insomuch as the Examiner's rejection is identical on all of these claims, claim 32 is believed to be equally patentable for the reasons summarized above with respect to claim 24.

Appellants note that the recitations and scope of claim 32 are different from those of claim 24. Claim 32 is a system claim reciting a plurality of electrical components, with each component including a memory object allocated for component designation data and physical location data. The claim further recites a data network linking the components, and a monitoring station linked to the components via the network. A

processor of the monitoring station is configured to access the data from the components and to generate and display a representation of the system.

As noted above with regards to claim 24, the cited reference in no way discloses storing information in such components or accessing the information from the components for generation of any display whatsoever. Because the reference fails in this regard, and because the Examiner did not address any of the elements of claim 32 or how they would be anticipated by the reference, a rejection for anticipation is improper. Accordingly, claim 32 and the claims depending therefrom are believed to be clearly patentable over the cited reference, and their allowance is requested.

F. **Kuribayashi fails to anticipate claim 39.**

Independent claim 39 recites:

> A networked motor control center comprising:
> a plurality of electrical power control components disposed in an enclosure, each component including a memory object for storing component designation data and physical configuration data, the component designation data including data identifying the respective component, and the physical configuration data including data identifying a physical disposition of the respective component in the enclosure;
> a data network linking the electrical components; and
> a monitoring station linked to the electrical components via the network, the monitoring station including a user viewable display and a processor configured to access the component designation data and the physical location data from the components via the network and to generate and display a representation of the system on the display based upon the component designation data and the physical location data, the representation including position of the components in the enclosure.

Here again, the Examiner did not address the subject matter of claim 39, as set forth above, with any specificity. Indeed, in the Final Office Action, the Examiner

essentially failed to address any distinctions between claims 24, 32 and 39. While Appellants do not agree with the Examiner addressing these claims together, insomuch as the Examiner's rejection is identical on all of these claims, claim 39 is believed to be equally patentable for the reasons summarized above with respect to claim 24.

Appellants note that the recitations and scope of claim 39 are different from those of claim 24. Claim 39 is directed to a networked motor control center that includes a plurality of electrical power control components disposed in an enclosure. Each of the components has a memory object for storing component designation data and physical configuration data. A data network links the electrical components, and a monitoring station is linked to the components via the network. The monitoring station includes a processor that is configured to access the component designation data and physical location data from the components via the network, and to generate and display a representation of the system.

As noted above, Kuribayashi does not disclose storing such data in components or accessing the data from components for generation of a view of any type. Moreover, the Examiner did not contend that the reference discloses such recitations. Accordingly, anticipation of claim 39 has not been established with regard to claim 39. For at least these reasons, claim 39 and the claims depending therefrom are believed to be clearly allowable over the cited reference, and their allowance is requested.

Conclusion

Appellants respectfully submit that all pending claims are in condition for allowance. However, if the Examiner or Board wishes to resolve any other issues by way of a telephone conference, the Examiner or Board is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

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8. APPENDIX OF CLAIMS ON APPEAL

Listing of Claims:

1. A method for creating a view of a system of networked components, the method comprising the steps of:

storing in a memory object of each component, data representative of the respective component and of a physical configuration of the component;

accessing the data from the memory objects via a data network;

generating a user viewable representation of the system based upon the data, the representation including physical representations of each component positioned with respect to one another and a physical representation of the system.

2. The method of claim 1, wherein the data representative of the physical configuration of the component includes data representative of a location of the component in the system.

3. The method of claim 1, wherein the data representative of the physical configuration of the component includes data representative of a physical dimension of a subunit of the system in which the component is located.

4. The method of claim 1, wherein the user viewable representation is provided in a window area of a computer monitor.

5. The method of claim 1, wherein the user viewable representation includes a dimensionally approximate representation of each component and a location of the component with respect to other components of the system.

6. The method of claim 1, wherein the user viewable representation includes indicia representative of an operational status of each component.

7. The method of claim 1, comprising the further step of defining a database for the system including the data stored in each memory object.

8. The method of claim 7, wherein the data stored in each memory object is downloaded into the memory object from the database.

9. The method of claim 1, wherein the user viewable representation is provided at a monitoring station coupled to the system via the data network.

10. The method of claim 9, wherein the memory objects are reprogrammable by the monitoring station.

11. The method of claim 9, wherein the monitoring station accesses a database containing system description data for generation of the user viewable representation.

12. The method of claim 11, wherein the database includes configuration data referenced in accordance with the data stored in the memory objects of the components.

13. The method of claim 1, wherein the user viewable representation includes a plurality of links to user viewable representations of detailed data for each component.

14. A method for generating a physical layout representation of a system of networked electrical components, the method comprising the steps of:

generating a database for the system including component designation data representative of programmable components of the system, and physical location data representative of a physical location of the programmable components in the system;

storing the component designation data and the physical location data for each component in a dedicated memory of the respective component;

accessing the component designation data and the physical location data via a data network; and

generating a representation of the system in a user viewable format, the representation including a physical representation of the components positioned in a relative physical position with respect to other components of the system.

15. The method of claim 14, wherein the representation is generated on a computer workstation linked to the system via the data network.

16. The method of claim 15, wherein the workstation accesses the database for additional data descriptive of each component.

17. The method of claim 15, wherein the workstation access the database for data representative of spacing between components.

18. The method of claim 15, wherein the dedicated memory of each component is reprogrammable via the workstation.

19. The method of claim 14, wherein the representation includes a representation of a status of each component displayed in real time.

20. The method of claim 14, comprising the further step of storing in the dedicated memory component data representative of a physical dimension of a subunit of the system in which the component is located.

21. The method of claim 14, wherein the representation is provided in a window area of a computer monitor.

22. The method of claim 14, wherein the representation includes a dimensionally approximate representation of each component.

23. The method of claim 14, wherein the representation includes indicia representative of an operational status of each component.

24. A method for generating and displaying a real time elevational view of an electrical system including a plurality of programmable components disposed in an enclosure set, each component including a resident read/write memory object, the method comprising the steps of:

storing component designation data and physical configuration data in the memory object of each programmable component, the component designation data including data identifying the respective component, and the physical configuration data including data identifying a physical disposition of the respective component in the enclosure set;

polling the components for the component designation data and the physical disposition data; and

generating a real time elevational view of the system based upon the component designation data and the physical disposition data, the view including representations of each component positioned with respect to one another in the system.

25. The method of claim 24, comprising the further step of generating a database including the component designation data and the physical disposition data.

26. The method of claim 25, wherein the step of storing includes accessing data from the database and downloading the data into the respective components.

27. The method of claim 25, including the further step of accessing additional data descriptive of each component from the database.

28. The method of claim 24, wherein the elevational view is displayed on a computer monitor.

29. The method of claim 24, wherein the physical disposition data includes data representative of coordinates of the respective component in the enclosure set.

30. The method of claim 24, wherein the elevational view includes indicia of an operational state of each component.

31. The method of claim 24, wherein the elevational view includes links to user viewable pages displaying detailed data for each component.

32. A networked electrical system comprising:

a plurality of electrical components, each component including a memory object allocated for component designation data and physical location data, the component designation data including data identifying the respective component, and the physical configuration data including data identifying a physical disposition of the respective component in the system;

a data network linking the electrical components; and

a monitoring station linked to the electrical components via the network, the monitoring station including a user viewable display and a processor configured to access the component designation data and the physical location data from the components via the network and to generate and display a representation of the system on the display based upon the component designation data and the physical location data, the representation including representations of each component positioned with respect to one another in the system.

33. The system of claim 32, wherein the monitoring station is configured to poll the components for the component designation data and the physical disposition data.

34. The system of claim 32, wherein the components are disposed in an enclosure set, and wherein the representation includes an elevational view of the system wherein the component locations within the enclosure set are approximately depicted.

35. The system of claim 32, wherein the components include electrical power control components adapted to control electrical power to a load.

36. The system of claim 35, wherein the components include a motor starter.

37. The system of claim 35, wherein the components include a variable frequency motor controller.

38. The system of claim 35, wherein the components include an overload relay.

39. A networked motor control center comprising:

a plurality of electrical power control components disposed in an enclosure, each component including a memory object for storing component designation data and physical configuration data, the component designation data including data identifying the respective component, and the physical configuration data including data identifying a physical disposition of the respective component in the enclosure;

a data network linking the electrical components; and

a monitoring station linked to the electrical components via the network, the monitoring station including a user viewable display and a processor configured to access the component designation data and the physical location data from the components via the network and to generate and display a representation of the system on the display based upon the component designation data and the physical location data, the representation including position of the components in the enclosure.

40. The motor control center of claim 39, wherein the representation includes a depiction of each component in a location of the enclosure ~~set~~ corresponding to a location defined by the physical configuration data.

41. The motor control center of claim 39, wherein the representation includes a depiction of each component having approximately a proportional size of the component as compared to other components.

42. The motor control center of claim 39, wherein the monitoring station monitors operational parameters of the components, and wherein the representation includes links to user viewable pages displaying the operational parameters.

43. The motor control center of claim 39, wherein the monitoring station is remote from the enclosure.

44. The motor control center of claim 39, wherein the monitoring station includes a database for the components and accesses data for the components from the database based upon the component designation data.

45. The motor control center of claim 39, wherein the monitoring station is configured to access data via a wide area network.

46. The motor control center of claim 45, wherein the wide area network includes the Internet.

9. EVIDENCE APPENDIX

No additional evidence for submission under 1.130, 1.131 or 1.132 is presently provided.

10. **RELATED PROCEEDINGS APPENDIX**

Appellants are unaware of any other appeals or interferences related to this Appeal.